

BUDHAN



The Denotified & Nomadic Tribes Rights Action Group Newsletter
October-November 1998

Budhan : The Denotified & Nomadic Tribes Rights Action Group Newsletter

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Printed at : Shivam Offset, Baroda.

ISSUE NO : 4 & 5 - OCTOBER-NOVEMBER 1998

Annual Subscription :

Rs. 110.00/- in India

Rs. 15/- for single issue

U.S. \$ 100 for subscribers outside India

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The DNT-RAG Newsletter is named after Budhan Sabar who was brutally killed in Feb. 1998

BUDHAN ?

G. N. Devy

To begin with, Budhan is just a name, among thousands of names used in rural India. A child born on Wednesday, the day of Budha, Budhan. There was one such in the Kheria Sabar community of West Bengal's Purulia district. He died in police custody in February this year. That is when things changed. Budhan left behind him his widow, Shamli and three children; but his death also created a movement for the protection of the human rights of Denotified Tribals of India. The credit for steering this movement goes to Mahasveta Devi. She has been working untiringly for the last two decades among the tribals of Bengal, Bihar and other states, has established welfare centres and societies among them, written about them, fought for their rights, filed cases, advocated causes in their interest. Perhaps, since Verrier Elwin's days, none else has displayed such deep empathy for tribals as she has.

When Budhan Sabar was killed, I happened to be at Midnapore for attending a national seminar on Tribal Literature. Several tribal writers and activists travelled with me from Bombay to Midnapore mainly because all of us wanted to meet and hear Mahasveta Devi who was the main speaker at the Seminar. One of these writer activists was Laxman Gaikwad, whose phenomenal rise from anonymity to a celebrity status has been recorded in his moving autobiography *Uchalya* (for which he won the Sahitya Akademi Award). Our first meeting was brief; but we decided to meet again in Baroda on the 14th March, where Mahasveta Devi was to deliver the Second Verrier Elwin Lecture for the Bhasha Research and Publication Centre. Laxman Gaikwad too agreed to join us for the event. Many other writers and activists came to Baroda to attend the Elwin Lecture and to participate in a field trip I had organised preceding the Lecture.

Mahasveta Devi's lecture was on "Denotified Tribals Today". Well-attended, highly applauded. That evening the Baroda Municipal Corporation gave a formal civic reception in her honour. And, after returning home, we talked through most part of the night about our respective involvement in tribals. The next day, we visited Tejgadh to see the new training institute that Bhasha Centre is creating there. And again we continued our discussion throughout the night till the morning of the 16th March. It was on that day that Mahasveta Devi and Laxman Gaikwad held a press conference in my office to announce the birth of DNT-RAG: The Denotified and Nomadic Tribals Rights Action Group. We had prepared a statement, which was issued to news papers and sent to a large number of activists throughout the country. It defended the basic human rights of the DNTs.

Two weeks later, I was invited by the University at Warangal in Andhra to give the key-address at a Seminar on the works of Mahasveta Devi, at which she herself was present. By then the Budhan Sabar case had been covered very extensively by

the Bengali press. And, there was rarely a day on which Mahasveta Devi did not speak with utmost anxiety about the outcome of the court case that she had filed in favour of Shamli, Budhan's widow. We held a well attended press conference at Hyderabad, and decided to travel to Bombay for speaking to the press there. It was here that we planned the future courses of the new movement.

Since it was necessary to communicate with a large number of activists, volunteers, community-workers, etc. , and to keep them informed of all developments, we decided to produce a four-page Newsletter. I thought *Budhan* would be the appropriate title. When Mahasveta Devi saw the first printed copy, there were tears in her eyes - of anger, of sadness, of gratitude. I could never keep to the four-pages formula. There was so much to write about, to share with fellow workers, to report, that *Budhan* soon started looking like a regular journal. Four issues in a sequence - every month, and then the two editors - Gita Chauhan and I - decided that we can at best publish only six issues a year. But that is another story.

Something else happened in between. On 12th May, Mahasveta Devi and I travelled to Ahmedabad in search of the Chhara community, not with much luck. We could barely get to the locality and look at the former settlement there for keeping Criminal Tribes in soft confinement. The police supervised our movement. However, soon after I could get there again unobserved, meet some young people and establish at least a nominal communication with them. By the end of the month, Nimi Chauhan managed to get done a video on the Chharas, which I showed to Mahasveta Devi and other friends in Delhi the next day.

In June, we had the first public meeting in Chharanagar. The inhabitants asked us to start a public library. In July the library was inaugurated by the Baroda based painter Bhupen Khakhar. The library was named after Mansingh Chhara, a painter himself. In August we held a literary meeting in the very premises where Chharas were kept in confinement prior to the denotification. Mahasveta Devi presided over, and Khakhar, Kanji Patel and Bharat Naik read out from their Gujarati works. On that occasion the young men and women surprised us by performing an extremely effective play - in the genre of a street play - about police atrocities on denotified communities. Therefore, when Chharanagar was chosen as the venue for the First National Convention of the DNTs, it was decided that these talented young persons should be invited to perform before the national gathering. In July, Justice Ruma Pal of the Calcutta High Court had given the historic judgement in Budhan Sabar case. And we carried the entire text of the judgement in the *Budhan* issue for that month.

When the National Convention was held at Chharanagar on the 31st August, the range of speakers was impressive: Justice D.K. Basu, Romila Thapar, Mahasveta Devi, Gayatri Chakravorty-Spivak, Pradeep Kumar Roy, Laxman Gaikwad, Ratan Kodekar and Surekha Devi. After the speeches came the play. There was hardly anybody in the audience who did not feel profoundly moved to see the Chhara youths enacting the entire Budhan Sabar case. With what passion, with what ease do they act, these Chhara boys and girls! Some of them have their fathers, brothers, relatives in police custody and jails. There was very little in the play which has not been a part of their daily life.

The word went round. After a few days, I had a surprising letter in my mail. It was from Mallika Sarabhai - the celebrated artist - activist. She had expressed her

desire to perform for the DNT-RAG. I did not know if it was a manner of writing or she really meant it. So I stayed quiet for a few weeks. But, when there was an occasion to go to Ahmedabad, and particularly since Mahasveta Devi was to be with me and Surekha, I called Mallika. Her mother Mrinalini and she asked us for lunch - and we spoke to them about the DNTs, their problems. Two weeks later, I read an extremely well-written article on this meeting in *The Times of India*. It was by Mallika in her column 'View from the Bridge'.

The result of this meeting was that the Chharas got introduced to the Sarabhais and their Darpana Academy. On the 17th November, *Budhan* was performed in the *Darpana* theatre, Mallika Sarabhai had invited judges, police officers and the theatre lovers of Ahmedabad to the performance. It was followed by a soul-searching discussion about the plight of the DNTs. The Chharas, for the first time since the colonial times, were being given a humane treatment, a thought and consideration.

I then wanted to see how the play would be received by a different audience. So I invited it to Tejgadh, where it was performed on the 28th November in an open ground, before the villagers - which included a group of Chamtha Denotified community, children, tribal women and a group of visiting N.I.D students. And it worked again - very differently. The response was participatory; there was understanding rather than anger in the minds of the people who came to see the play on that cold evening. The next day as I was walking in the village, I heard some children miming the actors, reproducing lines from the dialogues. These tribal children who live several thousand miles away from Budhan Sabar's village will never know how this name has travelled to Tejgadh in Western India. They will not know that some months ago Mahasveta Devi and Laxman Gaikwad had gone to Tejgadh thinking of starting a new movement. But they will recognise shades of experience that is part of their daily life which the Chharas brought to them as a dramatic tale. *Budhan* has become a myth, a symbol of India's vast community of the vulnerable and victims. A man, a name, a symbol: Budhan. So do myths spring up and grow and carry within them such pain!

Bhikhabhai Bajania, age 50, resident of Bajwa, Baroda, Denotified Tribal belonging to the Bajania community, was accused of stealing a green-gourd, tied to a tree with a rope, beaten up brutally and killed on 2 November 1998. The DNT-RAG seeks help for his widow. From you.

ANTROLIKAR COMMITTEE REPORT

Excerpts from the Ex-Criminal Tribes Rehabilitation Committee Report, Government of Bombay, 1950

Introductory

1. The Government of Bombay repealed the Criminal Tribes Act of 1924, in its application to the Bombay State, with effect from 13th August 1949 and by their Resolution, Education and Industries Department, No. 8721, dated the 25th August, 1949 were pleased to appoint a Committee to go in to the question of rehabilitation of members of the former Criminal Tribes. The following were the members appointed:

1. Dr. K.B. Antrolikar, M.L.A., *Chairman*
2. Shri B.N. Jakkal, *Member*
3. Shri K.S. Sarangapani, *Member*
4. Shri F.B. Dabhi, M.L.A., *Member*
5. Shri G.G. Karkhanis, *Member*
6. Shri Ravishankar Vyas, *Member*
7. Shri P. S. Nadkarni, Engineer under the Joint Registrar for Industrial Co-operatives and Village Industries, *Member*
8. Shri P. S. Jadhao, a resident of Sholapur Ex-Settlement and a member of the Ex-criminal Tribes, was appointed as an additional member of the Committee under Government Resolution, Education and Industries Department, No. 8721 of 12th October 1949.
9. Shri U.R. Seolekar, Backward Class Welfare Officer, Sholapur, was appointed as Secretary of our Committee.

2. The Government Resolution announcing the appointment of the Committee specifies the term of reference in general as under :

"To go into the question of rehabilitation of members of tribes, till recently designated Criminal Tribes under the Criminal Tribes Act, 1924, in the conditions resulting from the repeal of that Act and to suggest ways and means of their uplift."

3. We were asked to submit our report within four months period. But the same had to be extended, often, giving in total fourteen and half months to the Committee to complete its work, as Dr. K.B. Antrolikar, Chairman of the Committee and Shri F.B. Dabhi, member of the Committee had to attend both the sessions of the Bombay Legislative Assembly of the year 1949-50 and they could find little time to tour with the Committee. Moreover the problems for which the Committee had to collect data were varied and required the Committee to undertake extensive tours

in the State which also required much time. In view of this delay to submit the final Report of the Committee, we made an Interim Report to Government in the month of May 1950, and requested them to take urgent action on all proposals included therein.

4. We named our Committee as the Ex-Criminal Tribes Rehabilitation Committee and held its first meeting at Poona on the 11th September 1949 to chalk out our preliminary programme. A preliminary point was raised as to whether we should go into the question of rehabilitation of all Ex-criminal Tribes or restrict ourselves to the question of the rehabilitation of tribes which were treated criminal just before 13th August 1949. We came to the conclusion that we should go into the question of rehabilitation of all Ex-Criminal Tribes Denotified in and after the year 1939.

5. We adopted the following procedure for our work :

(i) To prepare a questionnaire to assess public opinion on the problems of rehabilitation of Ex-Criminal Tribes.

(ii) (a) To visit Ex-settlement and Ex-Free Colony places in the State together with urban and rural localities where the members of the Ex-Criminal Tribes are residing in considerable number with a view to getting first-hand information about their living conditions in general.

(b) To meet the representatives of the Ex-Criminal Tribes and others interested in the amelioration of their conditions and discuss with them difficulties and problems of uplift of the Ex-Criminal Tribes.

(iii) To arrange meetings in the office of the Collector of each District visited by the Committee of officials and non-officials representing the following Departments and Agencies to have a healthy exchange of views on the problems of uplift and rehabilitation of the Ex-Criminal Tribes :

(1) The District Magistrate

(2) The District Superintendent of Police

(3) Administrative and Inspecting Officers of the Educational Department

(4) Officers of the Co-operative Department

(5) Officers of the Excise and Prohibition Department

(6) Officers of the Forest Department

(7) Managers of Remand Homes, Government Employment Exchanges, Textile Mills and Factories having members of Ex-Criminal Tribes as employees

(8) Representatives of voluntary agencies and institutions doing ameliorative work among the Backward Classes and Ex-Criminal Tribes.

(9) Prominent local social workers and leaders

(iv) To examine witnesses specially acquainted with or taking special interest in the problems of the Ex-Criminal Tribes.

6. We issued over 950 copies of questionnaire to officials, non-officials and educated members of the Ex-Criminal Tribes. In all we received 150 replies to the questionnaire including 35 replies given by the representatives of the Ex-Criminal Tribes.

7. We visited the following places and localities inhabited by the Ex-Criminal Tribes:

Gujarat : Nadiad, district Kaira. Uttarsanda, district Kaira. Mahudha, District Kaira. Borsad, District Kaira. Bochasan, district Kaira. Dabhashi, district Kaira. Ahmedabad, district Ahmedabad. Naroda (Ahmedabad Ex-Settlement, district Ahmedabad). Baroda, district Baroda. Chhani, district Baroda. Sunsar, district Mehsana. Matarwadi, district Mehsana.

Maharashtra : Bombay (Kamatipura, Naygaon, Saitan Chowki and Worli). Ahmednagar, district Ahmednagar. Undrigaon, district Ahmednagar. Mundwa, district Poona. Baramati, district Poona. Sangli, district South Satara. Nandre, district South Satara. Karad, district North Satara. Umbraj, district North Satara. Kolhapur, district Kolhapur. Gadhinglaj, district Kolhapur. Waldoni village, district Thana. Ambarnath Ex-Settlement, district Thana. Barsi Ex-Free Colony, district Sholapur. Savatgaon Ex-Free Colony, district Sholapur. Pandharpur, district Sholapur. Sholapur Ex-Settlement, district Sholapur. Hotgi Ex-Free Colony, district Sholapur. Jalgaon, district East Khandesh. Parola, district East Khandesh. Dhulia, district West Khandesh. Dondaicha, district West Khandesh. Nandurbar, district West Khandesh.

Karnataka : Bijapur Ex-Settlement, district Bijapur. Bagalkot, district Bijapur. Muchkandi Tanda, district Bijapur. Gadag Ex-Settlement, district Dharwar. Hubli Ex-Settlement, district Dharwar. Belgaum, district Belgaum. Khanapur, district Belgaum. Konnur, district Belgaum. Gokak, district Belgaum.

8. - Eleven meetings with district officials and non-officials were held at the following places :

(1) Ahmedabad; (2) Sholapur; (3) Bijapur; (4) Hubli (for Dharwar district); (5) Belgaum; (6) Ahmednagar; (7) Satara; (8) Sangli; (9) Kolhapur; (10) Jalgaon; (11) Dhulia.

9. In order to finish touring work in shorter time we ourselves divided in sub-committees. A sub-committee consisting of Dr. K.B. Antrolikar, Shri G.G. Karkhanis and Shri B.N. Jakkal visited the districts of South Satara, North Satara and Kolhapur. Another Sub-Committee consisting of Shri K.G. Sarangapani, P.S. Nadkarni, P.S. Jadhao and Shri U.R. Seolekar, Secretary, toured the Districts of Ahmednagar, Poona, East and West Khandesh. Shri Dabhi along with Shri Seolekar, Secretary of the Committee, toured the District of Mehsana, especially to see the conditions of Thakardas who are an Ex-Criminal Tribe of the old Baroda State and who form a considerable population of the Mehsana District.

10. We express our sense of gratitude to officials and non-officials who gave full co-operation and assistance in the deliberations of our Committee and to those who took the trouble of sending replies to our questionnaire. We put on record the loyal and devoted services rendered by the Secretary of our Committee, Shri U.R. Seolekar in writing and completing this report and we take this opportunity to thank him sincerely for the same.

U.R. Seolekar, Secretary

(Signed) Krishna B. Antrolkar (Chairman), Fulsinhji Dabhi, B.N.Jakkal, K.G. Sarangpani, G.G. Karkhanis, P.S. Nadkarni, Parshuram S. Jadhao, Poona dated the 2nd November 1950

Summary of Conclusions and other Recommendations

General

1. There are 28 communities which are enumerated in the Criminal Tribes Act Enquiry Committee Report of 1939, which were brought under the operation of the Criminal Tribes Act. We add to this list Thakardas of the old Baroda State residing in village where the Criminal Tribes Act was made applicable. We thus treat 29 tribes in all as the Ex-Criminal Tribes of the Bombay State.
2. As most of the Ex-Criminal Tribes are included in the list of the Backward Classes, we have recommended special facilities to be given to the Ex-Criminal Tribes over and above the facilities given to them as Backward Classes.
3. We recommend that Baraiyas of the Kaira District, Chhapparbands and Thakardas belonging to the villages brought under the operation of the Criminal Tribes Act of the old Baroda State should be included in the Backward Classes and they be made eligible for facilities provided by Government to the Backward classes at present. The special facilities recommended by us for Ex-Criminal Tribes may not be given to these communities.
4. Mang-Garudis, Kanjar Bhats and Pardhis should be treated as nomadic tribes and only they be made eligible for the facilities recommended for the nomadic tribes.
5. The term 'Dharalas' should be discontinued and tribes denoted by the term 'Dharalas' may be denoted by their respective names. For the sake of convenience we have used the term Baraiyas to denote all tribes denoted by the word 'Dharalas' in this Report.
6. New avenues for employment and industries, such as spinning and tile making for example which are basic in nature as they concern fundamental needs of man of food, clothing and shelter should be found out and efforts made to organise them through Government or other agencies. The members of the Ex-Criminal Tribes should be encouraged to take up such new industries. There are certain other occupations which are not based on the fundamental needs of man and the economic life in general. But for these there is a demand as they are based on sentiment, culture, tradition or faith, such as selling grass for feeding cows to pilgrims by Pardhis of Pandharpur. Selling of Manipot or beads by Pardhi women in Bombay or selling of flowers by Wagharis at Baroda may be found out and efforts made to make Ex-Criminal Tribes to pick up such occupations.
7. Special elaborate suggestions about secondary and higher education have not been made as the question of the same will not arise for a number of years. For the time being we think facilities given to them as Backward Classes will be sufficient. Government should proceed on the lines suggested by us for Primary Education when the question of making special provisions for Secondary and Higher Education will arise.

8. As soon as a person belonging to any community and particularly to the Ex-Criminal Tribes is produced before a Magistrate for the second offence under the Indian Penal Code against property and person he should be handed over to experts in psychoanalysis, criminology and allied sciences to examine him. The result of such examination should be informed to the Magistrate who thereafter should proceed to pass judgment on such accused. Such study of the accused will enable to find out whether the crime committed by him is a result of criminal tendency which can be checked and directed to useful channels or of a criminal tendency which has been hardened and become a habit of the accused.

8A. Useful activities run under the former Criminal Tribes Settlement Department should be revived and arrangement made to organise them properly for the benefit of the Ex-Criminal Tribes.

Education

9. Rigid enforcement of the provisions of the Compulsory Primary Education Act is highly essential. The Government should issue strict orders to the various School Boards to enforce Primary Education in schools, situated in areas where the members of the Ex-Criminal Tribes are residing in considerable number. The Backward Class officer should be asked to furnish list of all such schools to Government.

10. District Committees formed of officers of the Backward Class Department and the Education Department with one or two non-officials interested in the amelioration of the Ex-Criminal Tribes to consider problems of education of Ex-Criminal Tribes and to make suggestions to make education popular among them, should be constituted with Backward Class Welfare Officer as its Secretary.

11. It is necessary to make adequate provisions of free supply of slates, books stationary and clothes to poor and deserving Backward Class pupils so as to induce their parents to take necessary interest in sending children to school. Government should impose certain conditions, in consultation with the Backward Class Officer and the Director of Public Instruction to make the School Boards take full advantage of Government grant-in-aid in this regard, as it appears that Government grant-in-aid is sacrificed by School Boards in order to avoid payment of their due 'share' which results in making no provision or inadequate provision of expenditure required for supplying stationary, books and clothes to Backward Class pupils. An amount, sufficient to meet the estimated cost of supply of clothes, books etc. to deserving Ex-Criminal Tribes pupils should be kept at the disposal of the Backward Class Officer in case the School Boards do not make necessary provisions for Ex-Criminal Tribes pupils. Or all school equipment should be given to Backward Class pupils by Government direct through the Backward Class Department or the Educational Department and the various School Boards made to pay their share to Government.

12. Big colonies of the Ex-Criminal Tribes should be treated as 'special treatment areas' and all measures to improve education should be implemented intensively in all such areas. It should be seen that within the next 10 years the educational standard of the Ex-Criminal Tribes is brought on par with others by implementing all measures recommended in this Report.

13. Primary schools or classes for Ex-Criminal Tribes should be provided in their

localities. A class should be provided in Ex-Criminal Tribes locality if there are at least 20 pupils to attend it. It should be a general policy to provide schools in their locality for the first two standards of the Primary School, at least.

14. As far as possible all first grade schools situated in the Ex-Criminal Tribes localities should be converted to Basic Schools and education given to them through a selected useful craft suited to the Ex-Criminal Tribes.

15. Arrangement should be made to appoint one Supervisor Teacher, who should be a II year trained teacher, as an extra hand in each Special Treatment Area school.

16. The Head Master and Teachers of schools situated in the Ex-Criminal Tribes Colonies should be paid some special allowance for special and individual attention to Ex-Criminal Tribes pupils. It should be granted to them on conditions which will ensure sincere efforts on their part and will bring qualitative fruitful results. Their additional exact duties should be defined. This measure should be tried as an experiment in a few schools in the beginning.

17. Night schools should be started for school going children who on the grounds of domestic and other difficulties do not attend day schools.

18. Qualified persons from Ex-Criminal Tribes should be appointed as Primary School Teachers in such Schools. The limit of percentage marks imposed on them should be withdrawn for a period of 10 years and qualified Ex-Criminal Tribes persons appointed as Teachers. Recruitment of such teachers should not be done through the Staff Selection Committee constituted by the Primary Education Act. Such teachers if found inefficient should be removed from service. Such teachers should be sent for training after completion of two years satisfactory service.

19. In Ex-Criminal Tribes colony schools, the number of pupils per teacher on rolls should be fixed as 30, with average attendance 20.

20. Compulsion in education should be enforced to boys and girls of the age group 6 to 14 in Ex-Settlement areas at Ahmedabad, Sholapur and Hubli. Pupils who have passed the Primary School Certificate Examination standard should be exempted from such compulsion.

21. Rewards should be given to class teachers from whose class, the Ex-Criminal Tribes children pass their examination for promotion to the next class, according to the scale given in Chapter III of the Report. These rewards are to be limited for higher primary classes only. Grant or rewards should be modified in the case of teachers who would get special allowances.

22. Encouragement should be given in Primary Schools by awarding monthly scholarships to a fairly sufficient number of promising and regular pupils. These scholarships should be limited to the upper primary classes in the case of non-wandering tribes, while in the case of wandering tribes, they should be for the lower classes also. The rates of such scholarships at different stages in the school should be according to the schedule given in Chapter III. In the case of wandering tribes $33\frac{1}{3}$ per cent pupils should be given such scholarships in the first five years and 25 per cent in the next five years. In the case of non-wandering tribes these scholarships should be given to 20 per cent pupils in the first five years and 10 per cent pupils in the next five years. The position should be reviewed after 10 years.

23. The Regional Committees of Gujarat, Maharashtra and Karnataka should be requested to extend their social education work in Ex-Criminal Tribes colonies, by imposing conditions on social education officers to show special work of impart-

ing social education to Ex-Criminal Tribes residing in their respective jurisdictions.

24. Literate boys, girls above the age of 12 years and adults should be trained in suitable cottage industries in rural areas through the peripatetic parties and mechanical trades, in urban areas, by regularly starting industrial schools. Such Industrial schools should be started at Ahmedabad, Sholapur, Hubli, Gadag, Bijapur and Ambernath. Trainees who receive training should be given Rs. 30 as stipends per month and after completion of training Rs. 500 should be given to him for purchase of equipment, tools and working capital to start the industry. Fifty per cent of this amount should be subsidy and the remaining as loan returnable in 36 monthly instalments. Three big industrial training centres should be established at Ahmedabad, Sholapur and Hubli to train Ex-criminal tribes boys and girls in various trades.

25. An adequate number of vacancies for Tailoring and Carpentry courses should be reserved for Chhara boys in Government Industrial Technical workshop of the Labour Department at Ahmedabad, till the scheme of a separate industrial centre at Naroda materializes.

26. Segregation of children, particularly, the children of the hardened criminal is neither desirable nor practical also. Neglected children should be sent to Certified schools under the provisions of the Children's Act and the said Act made applicable to all big Ex-Criminal Tribes colonies in the Bombay State.

27. Following additional hostel facilities should be given to Ex-Criminal Tribes pupils, over and above the facilities given to the Backward Class pupils -

- (i) Backward Class Hostels run by Government and private agencies should take initiative to have 20 per cent children of the Ex-Criminal Tribes in the hostels.

Backward class pupils, who can stay with their parents and have educational facility at the place of their residence are not eligible for admission to these hostels. This rule should be relaxed in the case of Ex-Criminal Tribes pupils, at least for a period of 10 years.

- (ii) Children of nomadic tribes should have preference in admission to such hostels. A special hostel may be started for the nomadic Ex-Criminal Tribes pupils if 30 such pupils are available at one place. Such 10 hostels should be started in the year 1951-52 to begin with. Out of which 6 hostels should be started 2 at each place at Ahmedabad, Sholapur and Hubli, one for boys and one for girls. These 6 hostels should admit 50 inmates in each.

28. Study-cum-Recreation classes should be organized in big Ex-Criminal Tribes colonies for Ex-Criminal Tribes pupils who are not supervised through Backward Class Hostels or Hostels started for them.

Economic

29. Strenuous efforts are necessary to see that a large percentage of Ex-Criminal Tribes is enabled to get jobs in Textile Mills and other Factories. The Rehabilitation Officer should be asked to collect statistical information of labourers required in various departments of the Textile Mills and other Factories and find out scope for

employing them. Percentage of Employment of the Ex-Criminal Tribes should be fixed up by the Backward Class Officer in consultation with the Labour Commissioner for a period of ten years.

30. Arrangement should be made through the Managers of Factories and Association of Textile Mill-owners to train Ex-Criminal Tribes on apprenticeship basis. The Government should pay liberal grants to the mills for such training arrangements or even bear the full cost of such training if mill managements do not voluntarily come forward to do this work.

31. Special provision should be made to give preference to the Ex-Criminal Tribes labourers in the present decasualization scheme.

32. Percentage of employment should be fixed in all Industrial concerns, Textile Mills and Factories where more than 50 labourers are working. Members of the Ex-Criminal Tribes may be rehabilitated at places where they will get remunerative jobs. This arrangement will automatically enable to split up their groups, and help their absorption in the society.

33. Employment should be provided to the Ex-Criminal Tribes in various Government Railway Workshops and semi-Government Factories and concerns. At least 5 per cent of the workers in such concerns should be the members of the Ex-Criminal Tribes. They should be taken as unskilled labourers to begin with and trained in various skills in due course.

34. If Trading Estates are established employment should be provided to them as unskilled labourers.

35. They should be employed in Jails as menial staff, in Government, Defence Service and in the Police, in Railway menial staff as coolies, gangsmen and in State Transport, as cleaners, drivers, and conductors, as labourers in Public Works Department, Municipal and District Local Board works.

36. They should be employed in fourth grade Government services as peons, coolies, watchmen and menial staff in various Departments.

37. All primary School Leaving Certificate Examination passed persons should be employed as Primary School Teachers, Talatis or given similar jobs in the Revenue Department, but none from them should be allowed to remain unemployed.

38. Three big industrial training-cum-Production Centres should be started at Ahmedabad, Sholapur and Hubli with training facilities in about half a dozen, useful and remunerative industries. Arrangement should be made to enable at least 100 Ex-Criminal Tribes persons to do work in one industry. These centres should be run purely as business concerns and efforts made to make them self sufficient in due course.

39. Industrial training should be given to Ex-Criminal Tribes residing in considerable population through the peripatetic industrial schools and if necessary extra peripatetic schools organized for this purpose. The trainees should be provided liberal stipends while they are under training and adequate loan facilities to run the industry, in which they have received training. Liberal loan facilities should be given to groups of such trained persons rather than individuals as far as possible.

40. Government should provide experienced persons as secretaries to the industrial and other Co-operative societies organized by Ex-Criminal Tribes. Fifty per cent emoluments incurred on account of such secretaries should be borne by the Government itself.

41. Co-operative Societies of Ex-Criminal Tribes should be advanced loan for Share capital on easy terms to enable them to have adequate loan facility. Government should guarantee to central financing agencies, in case there is difficulty in obtaining loan.
42. The scheme of loan facilities to be given to Backward Class artisans should be implemented with advantage for the individual Ex-Criminal Tribes following productive industries, on individual basis. A committee constituted of the Assistant Registrar of Co-operative Societies, the Backward Class Welfare Officer of the District, the Deputy Registrar of Co-operative Societies of the Division concerned and the District Officer for Industrial Co-operative and Village industries having jurisdictions in the District should dispose of such individual loan applications. They may recommend loan but powers of sanctioning it should rest with the joint Registrar for Industrial Co-operative and Village Industries. The District Officer for Industrial Co-operative and Village Industries should work as Secretary of the Committee.
43. Apart from Industrial Co-operatives, Multipurpose and Labourers Co-operative should be organized through the Welfare Organizers in Ex-Criminal Tribes Colonies.
44. Facilities should be provided to train Ex-Criminal Tribes women in sewing, weaving, tailoring, embroidery work, needle work and other crafts suited to them. Women teachers to teach these crafts should be appointed in Ex-Criminal Tribes colonies. Women trainees should be provided similar facilities provided to the trainees receiving training through the Peripatetic Training Schools.
45. Young girls who are above the age of 12 should be trained in suitable crafts to train women by starting regular craft training schools at Ahmedabad, Sholapur and Hubli.
46. The proposal of agriculture colonization of Ex-Criminal Tribes does not appear feasible. However efforts should be made to enable some Ex-Criminal Tribes following agriculture as their avocation to stay with non-Ex-Criminal Tribes agriculturists in the scheme of agricultural colonization. Separate colonies of the Ex-Criminal Tribes should not be encouraged.

Housing

47. We concur with the provisions of the Government Post War Reconstruction Scheme No.219 and recommend that lands should be given to the members of the Ex-Criminal Tribes at the rate of one and half gunthas to each family in the case of a non-agriculturist family and 3 gunthas in the case of an agriculturist family. It is necessary to have 400 square feet as the actual built area of the house in the case of each family. An additional built area of 200 square feet is necessary for an agriculturist family to use it as a barn.
48. The Government should bring into existence an organization which would start providing housing accommodation to the Ex-Criminal Tribes. For this purpose a committee consisting of the Collector or his Deputy as Chairman and the Executive Engineer, the Assistant Registrar of Co-operative Societies and one or two social workers as members and the Backward Class Welfare Officer as secretary should be formed in all Districts where there is a considerable population of the Ex-Criminal Tribes and particularly in the Districts of Sholapur, Bijapur,

Dharwar, Belgauin, Ahmedabad, Kaira, Bombay, Bombay Suburban and Thana. A sub-committee of the District Backward Class Committee may be asked to do this work if possible with the Assistant Registrar of Co-operative Societies and the Executive Engineer as members of the same.

49. Housing Co-operative Societies of the Ex-Criminal Tribes wherever possible should be organized.

50. Housing lands should be made available to the Ex-Criminal Tribes to build houses in rural and urban areas where there are more than 5 families. The Mahalkaris and Mamlatdars should be asked to provide housing lands to Ex-Criminal Tribes families where they are less than 5 in number.

51. In case of nomadic tribes, land should be given free. Loans also should be advanced to them to build houses at a very low interest and recovery ordered in easy instalments.

52. There should be no Ex-Criminal Tribe family left without a housing site within the next 3 years in urban areas and 5 years in rural areas.

53. While granting housing sites it should be seen that the Ex-Criminal Tribes are not segregated from the rest of the population.

54. Government should provide at their cost trained secretaries to Housing Co-operative Societies of Ex-Criminal Tribes having more than 50 members.

Social Welfare

55. Welfare activities of the Labour Welfare Department should be organized at all Ex-Criminal Tribes colonies in urban areas. Recreational activities should be organized at other places also through the Welfare Organizers.

56. The present system of caste Panchayat should be gradually remoulded so as to make them channels of social reform. There should be one general Panchayat for all Ex-Criminal Tribes and non-Ex-Criminal Tribes staying in one locality. There should be Sub-Panchayat of each caste, having some advisory members in it from persons of reputation from other castes and social workers.

57. It is necessary to give moral education to the Ex-Criminal Tribes. Recreational and other activities should be arranged in such manner that they should help to train the Ex-Criminal Tribes morally for which Bhajans, Kirtans, lectures and discussions on morals and good principles of all religions should be arranged.

Administrative Machinery and the Habitual Offenders Restriction Act

58. Two officers, one as Rehabilitation Officer for the Ex-Criminal Tribes and the other to look to the industrial development should be appointed under the Backward Class Officer to plan, organize and co-ordinate activities which have been recommended by us in this Report. Welfare Organizers and officers to look to the industrial development should be appointed at Ahmedabad, Sholapur and Hubli and in District having considerable population of the Ex-Criminal Tribes. The Backward Class Welfare Officers of the Districts should be made responsible to execute the various schemes and proposals of rehabilitating these tribes.

59. The Habitual Offenders Restriction Act should be amended in the light of the Madras Habitual Offenders Act and its provisions made simpler and wider in order to restrict all habitual offenders from Ex-Criminal Tribes and also others as action on these few notorious characters will enable other Ex-Criminal Tribes to

live peacefully in their localities. A conference of the Backward Class Officer, the Chief Inspector of Certified Schools and a few selected experts in criminology, magistracy and Police work should be called and amendments to the existing Habitual Offenders Restriction Act made in the light of recommendations made by it.

Other Recommendations

60. Government should encourage voluntary associations to do uplift work among the Ex-Criminal Tribes. But in case no voluntary effort is forthcoming, the Government should undertake to do uplift work for them and in due course give increasing scope to the voluntary associations.
 61. The Government should include in their programme of the Housing Department provision for housing of these communities. The Ahmedabad pattern of tenements used for the refugees at Naroda, costing Rs. 3900 for 6 tenements should be taken as a model. The Government should construct such tenements at suitable places and give them to the members of these communities on hire purchase system.
 62. If there are any schemes of housing of the general population and if housing Co-operative Societies are formed for that purpose a few members of these communities should be included as members of that society.
 63. If there are Housing Societies and sites specially reserved for these communities members from other communities should be encouraged to buy plots or be members in the Housing Co-operative Societies of the Ex-Criminal Tribes.
 64. Housing sites owned by the Ex-Criminal Tribes which were forfeited and given to non-Ex-Criminal Tribes by Government should be restored to them if they are willing to go to their villages and stay there permanently.
 65. Agricultural lands owned by the Ex-Criminal Tribes which were forfeited and given to non-Ex-Criminal Tribes by Government should be restored to them.
 66. Panch Fund and some other public funds raised on the contributions given by the Ex-Criminal Tribes should be handed over to the associations or organizations of Ex-Criminal Tribes doing ameliorative work among them and it should be spent for their uplift.
 67. The Umedpur village area (the Sholapur Ex-Settlement area) which is just on the outskirts of the Sholapur Municipal limits should be included in the Sholapur Municipal limits and sanitary and other amenities extended to that area for the benefit of the Ex-Criminal Tribes.
 68. One member belonging to the Ex-Criminal Tribes should be nominated by the Government on each of the Backward Class District Committees of Sholapur, Bijapur, Dharwar, Poona, Thana, Kaira and Ahmedabad Districts.
 69. One member belonging to the Ex-Criminal Tribes should be nominated by Government to represent them in the State Backward Class Board.
- Villages where the Criminal Tribes Act of the old Baroda State was in operation have not been included in the list of the Backward Classes. But as they are members of the Ex-Criminal Tribes and as they are really very backward educationally, economically and socially, we recommend that they should be included in the list of the Backward Classes and be made eligible for all the facilities provided to the Backward Classes by Government at present. The special facilities recom-

mended for Ex-Criminal Tribes may not be given to these communities.

We have recommended some special concessions in education to the children of the wandering or nomadic tribes. For this purpose we recommended that Kanjar Bhats or Chharas, Pardhis and Mang-Garudis should be treated as wandering or nomadic tribes.

In Paragraph 72 of the Criminal Tribes Act Enquiry Committee Report there is a recommendation that the following tribes can no longer be considered criminal :

(1) Fatgudis (2) Chhapparbands (3) Kamis (4) Katbus (5) Vanjaris. It also states that the danger from some foreign tribes has not been serious. These communities are the following : (6) Baurias (7) Bhars (8) Minas (9) Oudhias and (10) Pasis. Their population also is probably very small as there are no definite figures available. We may therefore very safely omit these communities from general discussion. The Committee again in the same para has referred to (11) Berads (12) Bhils (13) Kohs (14) Lamanis (15) Waddars and (16) Wagharis as showing gradual improvement in recent years and therefore has recommended their early denotification.

Representatives of DNT-RAG met the Secretary, Social Welfare, Government of Gujarat, to seek help in housing, education and economic development. Dr. P. K. Das, the Secretary, has promised to prepare a special plan and budget for the DNTs. Workers in other states are welcome to correspond with the DNT-RAG office to get the details of the special plan.

The Convention of DNTs of Central Gujarat

A Report

A well-attended convention of DNTs of Central Gujarat was held at Lunavada to discuss organizational matters in the presence of Mahasweta Devi, G.N.Devy, Surekha Devi and Kanji Patel on Tuesday, October 29 1998. Local social workers - Bhupendra Solanki, Manoj Shah, Manibhai Panchal, Natubhai Dantani, Harish Darji, Chandubhai Baria, Nilesh Patel and Kalubhai Pagi were also present.

It began with folk songs sung by Mahesh Dantani, Jagdish and Kirit Barot accompanied by Samir Mehta and Jagdish Kachhia. Members of Madari, Vaghari, Vadi, Nat, Vichpada, Bajania, Vanjara, Chamtha and Turi Communities welcomed the guests. In his welcome speech Kanji Patel spoke of the two century long plight of DNTs in the country. He hoped that with the DNT RAG activities the dark days may soon be over. He said that the treatment the DNTs received from society was without dignity and full of prejudice and hatred.

Manibhai Panchal said that the DNTs should be given schools, roads, libraries, hostels and welfare. Panchmahals Dairy Chairman Bhupendra Solanki said that these six crore people have yet not tasted the fruits of freedom even after fifty years of Independence. The mighty people have cornered the resources of the country. He sought the guidance of the leaders of this movement in rendering justice to the DNTs. Surekha Devi said that DNT women should come forward. Fight for freedom has become a must now.

G.N.Devy said that this was an important and historical day. He recounted vividly how these communities were branded 'criminal' by British rulers and treated in the same way by our own countrymen. The society thinks of them as people worth keeping watch on as 'criminal'. It looks at them with suspicion and hatred. This attitude of 94% of people towards the 6% DNTs must be changed. But how? There are three ways: 1. Change Government rules, 2. a social revolution, 3. peaceful internal dialogue, unity of the DNTs. The third alternative is the only desirable way. The DNTs can and must help themselves through unity. He added that the NHRC has accepted our demands. He cited the example of the Chharas in Ahmedabad. They have started a library, cultural and welfare activities, etc.

Kanji Patel explained some of the ideas in the discussion. (1) The DNTs fought the British rule even before 1857 rebellion; (2) The DNTs live in abject conditions; (3) We treat DNTs as if they are not Indians.

Mahasweta Devi expressed happiness over the enthusiasm and the presence of the communities. She said that the hands are not for begging. We must work ourselves for our welfare. She added that schools, water, roads, houses, agricultural land, Ashram Shalas, cows, buffaloes, fodder for animals must be made available to the DNTs. Forming an organization of these people is the answer. She asked the DNTs to meet, prepare a charter of demands and submit it to the district Magistrate, the state Govt. and the NHRC. She demanded that a census of these

people be conducted. She told that the cases of police atrocities on them should be reported to Dr. G.N.Devy. She urged the gathering to begin all such work soon. She said that these people can walk only on their legs and should not depend on help from the others. How can such talented communities ever be 'low'?

The meeting ended with the National Anthem.

The second session began at 3.00 p.m. The following communities formed welfare committees, elected their presidents, vice-presidents and secretaries: (1) Chamthas (2) Vichpadas (3) Nats (4) Madari (5) Vadi (6) Machhi (7) Vaghari (8) Nayakadas

Welfare Committee of Vadis :

President : Vadi Bhurabhai Hirabhai, At : Karanabariyana Muvada, PO : Lunavada, Dist. Panchmahals; Vice President : Vadi Jotibhai Bhurabhai, At : Po : Godhar, Ta. Santrampur, Dist : Pms. Dahod; Secretary : Vadi Dilipkumar Maganlal, At : Po : Ukhreli, Ta. Santrampur, Dist : Pms, Dahod

Members : Vadi Rumalbai Fulabhai, Vadi Maganbhai Nathabhai, Vadi Kalubhai Somabhai, Vadi Zazamben Kantibhai, Vadi Somabhai Manabhai, Vadi Ramanbhai Zinabhai, Vadi Bhalabhai Lunjabhai, Vadi Chhampaben Somabhai, Vadi Rajeshbhai Jashubhai, Vadi Bhurabhai Motibhai, Vadi Vinodbhai Bhurabhai

Welfare Committee of Chamathas :

President : Chamatha Khodabhai Kohyabhai, At : PO : Babalia, Ta. : Khanpur, Dist : Pms.; Vice-President : Chamatha Rajuben Bakorbhai, At : Pankhai, PO : Lunawada, Dist : Pms.; Secretary : Chamatha Lalabhai Bakorbhai, At : PO : Babalia, Ta. : Khanpur, Dist : Pms.

Members : Chamatha Jinabhai Koyabhai, Chamatha Pratapbhai Khodabhai, Chamtha Kalubhai Khodabhai, Chamatha Motibhai Nathabhai, Chamatha Motibhai Khodabhai, Chamatha Nanabhai Koyabhai, Chamatha Bakorbhai Nathabhai, Chamatha Vijaybhaiu Bakorbhai, Chamatha Valjibhai Gulabbhai, Chamatha Saburbhai Gulabbhai, Chamatha Maganbhai Gulabbhai, Chamatha Bharatbhai Saburbhai, Chamatha Bhathibhai Mathurbhai, Chamatha Mohanbhai Mathurbhai

Welfare Committee of Vaghari :

President : Vaghari Ravabhai Chhunilal, At : Hanuman Very Road, Lunawada, Dist: Pms.; Vice-President : Vaghari Shardaben Nagarbai, At : Hauman Very Road, Lunawada, Dist : Pms.; Secretary : Vaghari Nagarbai Punabhai, At : Hanuman Very Road, Lunawada, Dist : Pms.

Members : Vaghari Babubhai Somabhai, Vaghari Natvarbhai Somabhai, Vaghari Babubhai Chhaturbhai, Vaghari Maheshbhai Mansukhbhai, Vaghari Punamchandbhai Arjanbhai, Vaghari Naginbhai Koyabhai, Vaghari Bachubhai Shanabhai, Vaghari Karsanbhai Shankarbhai, Vaghari Jayanti Mafatbhai, Vaghari Nanabhai Ramchandbhai, Vaghari Parsottam Jivabhai, Vaghari Dalsukhbhai Chhaganbhai, Vaghari Natvarbhai Prabhatbhai, Vaghari Mafatbhai Chhunilalbhai

Welfare Committee of Vispadas :

Actg. President : Patel Kanjibhai R., Gayatri Society, Lunawada, Pms.; President : Vispada Jayantibhai Vajabhai, At : Po : Babalia, Ta : Khanpur, Dist : Pms.; Secre-

tary: Vispada Bhalabhai Vajabhai, C/O. K.R.Patel, Gayatri Society, Lunawada, Dist : Pms.;

Vice President : Jamesbhen Surmabhai Vispada

Members : Vispada Bhalabhai Vajabhai, Vispada Kalabhai Dalsukhbhai, Vispada Vadilal Mathurbhai, Vispada Surmabhai Vajabhai, Vispada Limbabhai Ambalal, Vispada Revaben Limbabhai, Vispada Chhinaben Jayantibhai

Welfare Committee of Madari

President : Madari Viramnath Ishwarnath, Near Police Line, Lunawada, Dist : Pms.;

Vice-President : Madari Jijunath Raninath, Near Police Line, Lunawada, Dist : Pms.;

Secretary : Madari Babarnath Somnath, Near Police Line, Lunawada, Dist : Pms.

Members : Madari Mirkhannath Ishwarnath, Madari Robadnath Mirkhannath, Madari Nathunath Mirkhannath, Madari Thakornath Viramnath, Madari Natwarnath Viramnath, Madari Somnath Nathanath, Madari Zampadnath Somnath, Madari Bhupatnath Somnath, Madari Kaliben Viramnath

Welfare Committee of Nayaks

President : Nayak Saburbhai Rayajibhai, At : Po : Pankhi, Lunawada, Dist : Pms.;

Vice-President : Kantiben Kalubhai Nayak, At : Mota Rajanpur, Ta : Kadana, Dist :

Dahod; Secretary : Nayak Sufrabhai Rumalabhai, At : Mota Rajanpur, Ta : Kadana, Dist : Dahod

Members : Nayak Bhurabhai Manabhai, Nayak Gemabhai Zavrabhai, Nayak Babubhai Jesingbhai, Nayak Mangal Dalabhai, Nayak Rajuben Sufrabhai, Nayak Dariyaben Jivabhai, Nayak Shantiben Shivabhai

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THE KHERIA SABARS OF PURULIA

Mahasveta Devi

The Kheria Sabars of West Bengal are a primitive subtribe. Their total population was 16715 in 1996. Since no Government personnel have ever made any survey of the different Sabar villages, what I have in hand, is the surveys made by the Samiti workers, like house to house survey (men, women, children, landholding, number of children going to school, percentage of literacy, means of livelihood, etc etc.) Over the last thirteen years the Samiti workers have made such surveys, noted changes, recorded deaths and the causes of death, serious diseases like tuberculosis, (leprosy is very rare) and other diseases caused by malnutrition, etc.

We do not have a vehicle. At times we rent one. The surveys were made on foot, at times on cycles.

The Sabars live in about 300 Sabartolas in 8 Blocks : Barabazar, Balarampur, Manbazar I, Manbazar II, Pancha, Hura, Purulia Moffusil, Bandowan and Hura. They do not live with other tribes or castes. That is why their habitats are called 'tola's'. Maldi may be the name of the main village, but the Sabars will live at a distance in a Maldi-sabar tola.

The Lodha-Sabar of Midnapore & Kheria-Sabars of Purulia are hunter tribes. Basically they belong to the hunter tribes of India in different states under different community names like Savar, Sabar, Saora, Nishad, Shikria, etc. They are an Austric tribe.

In 1871 C.T. Act, as amended in 1897, we find the name of the district, Manbhoom. In Manbhoom, a tribe was notified as a criminal one. Purulia, till 1953, was part of Manbhoom. So we can well surmise that Kheria-Sabars of Purulia were notified a hundred years ago.

Population : Survey has to be revised every five years, yet approximately there are 16000 or 17000 Sabars in Purulia. The census report is never correct regarding Kheria-Sabars as, not even the Panchayat has ever conducted a door to door survey.

Means of livelihood : Basically a forest tribe, after ruthless deforestation of indigenous forests, they cannot procure food from the forest produce, nor can they exchange roots, honey, leaves, raisin, for food. Very few have land. 99% of them are landless. Purulia is a mono-crop area and the Kheria Sabars work as agricultural labourers for two or three months every year. Cultivation is rainfall dependent, as the Kangsabati dam has no irrigation canals in the district. They go as migratory agricultural and brickfield workers to other districts (Hooghly, Burdwan in West Bengal and Bihar (Jamshedpur) but there is a marked downfall in the recent years.

They are a minor tribe, also their "tolas" are sparsely populated. Except two villages, Akarbaid and Damodarpur. Total population of a Sabartola is between

20-70. They live at a distance from the main villages on the banks of the rivers, or on the low hills, or on the forest land (declaredly so, but never brought under plantation schemes). They do not trust the non-Sabars. The non-Sabars too, do not trust them. As everywhere in India, like other denotified communities, deprived of their livelihood, evicted from the forest, the Kheria Sabars too have been kept engaged in crime from 1954, when Zamindars, anticipating the zamindari system Abolition Act of 1955, took to leasing out and selling the forests. Skilled archers and lathi wielders, the zamindars used them as task force. Later the police, the stolen good receivers and political parties used them. I found them, in 1980s as a food-gathering small community, following the barter system. Even now, after so many years, the main hurdle in their development is their total attitude towards life. A Sabar has no sense of need. For a pittance he can kill or rob, or steal. Prashanto Rakshit, the project officer of the Samiti cites an instance when a Sabar killed someone in exchange of one bottle of country liquor and a kilogram of rice.

Now they are changing, changing fast. The district being devoid of natural greenery, these tough people make handicraft products from wild date palm leaf and *kasi* grass, or an indigenous rush. 500 families of 40 villages live on the income of this.

The Sabar women work as field labourers, make handicraft products. Now they are raising poultry after a thorough para-vet training.

The denotified communities of West Bengal are not nomadic. They are sedentary and live in four districts. Now Sabars want to cultivate land, refuse to serve the police, the receiver of stolen goods and political goondas. But, till date, West Bengal Government has not given them any vested land.

Social Customs : Kheria-Sabars abide by the time honoured social laws of the Austrics, like :

- a) There is no dowry system, but bride price has to be paid;
- b) Widow remarriage and marrying the elder brother's widow is approved of;
- c) Divorce, both man and woman marrying someone else, is allowed;
- d) Marriage can be arranged, but marriage of choice is the usual procedure.

The Kheria-Sabar society is not a permissible one, but truly liberal. Living together, conceiving a child, followed by marriage is not unknown. In fact I know quite a number of such marriages. There is a marriage ceremony. But the boy and the girl just exchanging garlands, calling a tree or a rock to be witness, of the boy putting vermilion on the girls head, are accepted by the community;

- e) A girl is treated the same way a boy is.

Griha/Ghardevta : Each family has a family god, each person has a personal god, who is usually a devi, but this is to be kept secret.

Birth rites : A Sabar midwife attends the mother; a broken broom, vermilion, ash from the oven etc. are kept in the room by the midwife to ward off the evil spirits. For three days the family observes abstinence from using oil and many "don'ts". On the third day the new mother is given salted tea, a ceremonial bath. She gets two more days rest. Then the midwife clips her and the baby's nails, gives

the child a bath, the birth place is cleaned. The baby is named by anyone.

Marriage Ceremony : In an arranged marriage, often the boy says, "going to a relative". He does, sees the girl, if he likes her and she likes him, the groom's parents go to propose the marriage. The marriage broker (*ghatak*) and the girls party bargain over the bride price. It is usually 300-400 rupees. The groom's part, has to give, a sari to girl's grandmother, a dhoti for girl's brother, a dhoti for girl's *mama*, and one set of clothes for the girl. The groom's party will carry rice, bidi, tea etc. and no expense on this account is to be incurred by the girl's family. Then both the parties will have a ritual song-session, a kind of mock-fight. Then the *ghatak* has to be given his payment. Throughout the marriage women will go on singing. Then the details are the same as the Lodhas. Among the Austrics, women play the leading role during weddings. among the Sabars, the girl's parents have to be there. I skip the details.

Exchange of flowers : The Kheria-Sabar children and elders, through a ceremony of exchanging a denim, a ribbon, a handkerchief with boys and girls of the other tribes (Munda, Bhumij), communities (the Mahatos), other religion (Muslims) become lifelong Phool (flower) friend. If Mahadeb Sabar of Akarbaid becomes "phool" of Dhiren Mahato of Kamta village, Mahadeb's family members become phool ma, phool dada, phool sister, etc. for Dhiren. And Dhiren's family members become the same to Mahadeb. This custom creates a bond of the Sabar with non-Sabar communities. And, when hounded by police, or others, these "phools" give shelter to Sabars. Sabars too give support to their "phools". Anyway, it is a beautiful custom.

Death rites : The Austric tribes always dealt with unnatural or accidental death cases differently. The dead bodies were thrown in the jungles. Sabars too did that. Now there is no jungle, and death rites are performed. Following the Austrics they bury their dead and mark the grave by placing a stone there. Cremation is too costly, as wood is a luxury. The advanced tribes like Santhals, Mundas, Bhumijis cremate. The Sabars do not. The other details are as follows :

a) Everyone has to be informed. A handful of earth from the hut of the deceased, and some earth from under the Tulsi plant must be kept towards the head. Relatives, family members, non-related Sabars have to pour a drop of water on the lips and carry the body to the *smasan*. The body must be put down at the joint of three roads. Then, after digging the grave, a handstitched "kantha" will be spread, money, puffed rice, earth from the hut, Tulsi mati will be placed. The dead one's personal god too will be buried. One will just whisper, "we are giving your personal god/goddess with you". Then thorny shrubs will be spread all over the body and everyone will join hands to cover the dead with earth. A rock will be placed on the grave. The mourning period is 12 days. For the first 3 days, the directly related family members, bearing the same totem abstain from fish and meat. It is over after 12 days, the details of which I will write later.

It is important to note that Sabars never allow non-Sabars to participate in their pujas, marriages, deaths etc.

Pujas : New year, for Sabars, like other Austric tribes, begins on the 1st of "Magh" (Bengali calendar) or 15th January.

There are three categories of Sabars, Dhelki, Pahariya & Dudh. Since the Purulia, Bankura and Midnapore Sabars worship hills, they are known as Pahariya

Sabars. The hills they worship on 1st of "Magh" bear these names : Nilmadhab, Kitapat, Dandapat, Gharduari, Katiargadi, Bandhandori, Chhandon dori, Chandipat. With the hills, Maa Jugni or Shitala (she can pollute air and water, can start an epidemic); Shiva; Bijlikanya (she controls thunder and lightning); Pavanvir (can raise a storm), Indrajit, all are offered puja. Sabars are landless. They work as Khetmajdoors, also work as "Rakhadar" or protector of rich people's fields in lieu of paddy. At this time they have some paddy and rice, so worship all these deities together.

They do not worship idols. Manosa, the snake & fertility goddess is worshipped in the month of Bhadra/15th August by installing a branch of thorny cactus, *Sij Manosa* in the yard. During Pahar Puja on 15th January, new terracotta elephants are offered. Kali Puja is observed by worshipping the Tulsi plant. "Bandhna" or "Sohrai" is cattle-worship, widely observed in the south-west districts of West Bengal. *Graam* or *Gram Devta* is worshipped in the month of Ashaadh at the tulsi manch. *Gram Devta* is usually a tree. Tulsi manch in Sabar villages. *Sarhai* / *Baha* is the springtime forest festival. In the month of *Falgun* (15th March-14th April), with *Baha* parab the Sabars, like other Austrians or non-tribals of the forest areas, start plucking the new *Sal* leaves and flowers.

Totems : Sabars do not know the word 'totem', but the following are the totems holy to them, not to be killed or defiled :

a) Kadamjora (Tree), b) Kauri (a god), c) Tiring (a bird), d) Ran Bhuian (a fish), e) Bagda Bhuian (a fish), f) Dup Bhuian (a fish), g) Dhang Bhuian (a fish), h) Jarhu (a fish), i) Galgu (a tree), j) Dharam bandha Kauri (He who protected Dharma from Adharma)

Place of Women : Quite high. Regarding marriage, divorce, remarriage, taking a lover but not marrying him, the women have full freedom. They are better at money management. The wives sell things, bargain better, and are totally fearless. They are keen archers too, and very able to protect themselves.

Specialities : No Sabar, after marriage lives with the parents. Conjugal bonds are very strong. They love their children as others do, but never allow their children to work as a cattlegrazer or fieldhand.

When I saw them first, I was astounded, because they followed generally the ancient food gathering pattern. In the sixties, they pursued the following pattern :

May to July : A Sabar couple would go to the forest, collect fruit, root and tube, small birds, grass snake, golden monitor lizards, frogs and snails. A dhama snake has ample meat, the skin is gold, and they would just half-roast it and eat. They still eat snakes.

August to October : They'd catch frogs from the paddy fields, snails, fish and crabs from the river and eat.

November to January : They would and still do bait and catch field mice for meat. The women are adept at digging the mice-holes and collect paddy stored by the mice.

February to April : They collect and eat any wild fruit. The Bunyan fruits are a delicacy. Collected honey. Ate the hive and honey. Occasionally sold honey. Would hunt and eat fox, hyena, civet, hare, anything.

In the sixties, they roasted and ate out. Few Sabar homes had an oven.

From food-gathering stage, they have been pushed to the current times. De-

velopment or evolution wise, we are trying to make them able to survive in the current, savage times when forests are gone, wild life is fast vanishing. Now they want land, which West Bengal Government goes on refusing. No vested land for them.

Though we are trying, the Sabar has no sense of need. If they sell handicraft, every Tuesday at the samiti, a couple earn about 600 rupees. But they may come the next week, they may not. Yet, with everything, they are the best amongst the tribes I have known closely. Literacy almost nil, no avenue of income except what the samiti tries for them, no land, continuous persecution by police and political things to keep them engaged in crime.

But they are courageous, simple, have a large heart, and morality is very strong. Now they want land. Our samiti too is fighting for them all the time. Culturally very alive, the Sabars never got a chance. But now they are surfacing fast.

This is not the true Kheria Sabar story. Just a "Parichay". Someday I will write what I have learnt about and from them. Will write how, with so little encouragement and sympathy, the Sabar samiti grew up.

I will end with saying this, my greatest "Prapti" is, the love I receive from the tribals. The Sabars are, to me, like the rivers where I bathe. They cleanse me, tell me to take heart, not to lose hope.

Yet, I have said so little.

Denotified and Nomadic tribals
live in every state, city, village.
They need your help. You can do
this work on your own. The cen-
tury is about to end. Let us bring
an end to the stigma that the
DNTs carry. They too are human.

LETTERS FROM VICTIMS

Letter from Shri Balkrishna Renake, Maharashtra Bhatke Vimukta Sanghathan Parishad, dated 2-11-98, to Honourable Gopinathji Munde, Deputy C.M. & Minister for Home Affairs, Maharashtra State, Secretariate, Mumbai 400 032.

Sir,

Please find enclosed an application by Smt. Tanuja Dipak Pawar, the widow of Dipak Pawar who was shot dead by the police last week.

Smt. Tanuja Pawar does not find the police explanation acceptable and therefore she has appealed for a high level inquiry of the incident and also ask for explanation for the burial of the body under secrecy without allowing relatives to attend it. She has further requested a second postmortem.

The suspicion raised about the role of the police, the popular sentiment regarding the incident and the information that we have collected indicate that Tanuja's application is justified. Kindly institute inquiry in this matter as promptly as possible.

Letter from Smt. Tanuja Dipak Pawar, 58 Phata, Malshiras, Dist. Solapur, 2-11-98, to Honourable Gopinathji Munde, Deputy C.M. & Minister for Home Affairs, Maharashtra State, Secretariate, Mumbai 400 032

Sub: Inquiry regarding the killing of my husband by the police of Malshiras Taluka (Thana Akluj) - regarding the suppression of this incident, threats and physical harm caused to me and my relatives - regarding getting false statements written from us :

Sir,

According to a newspaper report published on 25-10-1998, a dacoit belonging to Malshiras Taluka was killed in Police firing done in self-defence (the name : Dipak alias Irkyu Suresh Pawar).

As his lawful wife I would like to state on the basis of my experience and information that my late husband was not a thief or a dacoit; and the police report is false. In support of my claim, I submit the following facts and information. Moreover, I would like to raise some issues and questions.

I am either eighteen or nineteen of age, and my husband was nineteen or twenty, perhaps. We got married two years back. I am now the mother of a child of eight or nine months. We do not own either house or land and such other properties. We lived in a makeshift hut near Crossing No. 58 at Malshiras. I used to beg during daytime and collect crumbs for us. Occasionally I worked on daily wages.

After marriage my husband started liquor business. His business flourished for a few months because he paid 'Haptas' to the police. One day, two policemen came to our hut, collected the 'Hapta' and, after having their drink, held my hands : "You have a good-looking wife. Send her to us. We will give her easy work." Their comment was not liked by either of us. After that the amount of 'Hapta' had to be increased. The 'Hapta' could not be afforded, and therefore he stopped the liquor business. Since the police no longer got money from us, they started harassing us : "How can you manage without the liquor business ? You might be stealing do it or anything else, but we need our 'Hapta'." In spite of such threats my husband neither engaged in the liquor-trade nor paid bribes to the police. The police harassment increased. They took my husband away, kept him in lock-up for an alleged theft : "Work as police informer. Do liquor-trading. Give 'Hapta'. We will free you from this theft case." The police repeatedly told him so. Again, a few months back, he was taken in police custody and beaten up brutally. My husband was scared of this kind of third degree treatment.

Two days before the killing, my husband beat me because of minor disagreements between us. I was upset, and left the house. For four to five days, I used to beg during the day and sleep at the bus-station at Natepute. Then I returned home. It is then that I learnt that he was shot dead by the police while he was moving about enquiring after me at the relatives.

The news read out to me from newspapers, the report from my parents and information given by eyewitnesses lead me to raise the following points. They may raise suspicions about the doings and the statements of the police :

1. My parents have informed me that on Saturday (24-10-1998) afternoon the police went in a vehicle to their house. They put them in the vehicle and took them to the police-station, where they were made to wait for twelve hours (from 2p.m. to 2a.m.). They were asked to put thumb impressions in various documents. They were not allowed to leave even for urination. At 2 hours past midnight the police brought my husband's body after conducting the postmortems at the hospital. They put my parents in the police vehicle and carried them and the dead body to the burial ground. The people required for digging up the burial place were also brought by the police. The body was wrapped in cloth; my parents were not allowed to unwrap it. They were not allowed to see the face of my husband, too. Salt, which is required for laying in the grave was also brought by the police. They did not permit the burial as per our custom which requires the presence of relatives. There were three jeep-load of policemen in the graveyard. But from among the relatives, only my parents. The police have taken a photograph of my parents pushing earth into the grave.
2. According to the newspaper report, the dacoits were travelling in a small truck (tempo) carrying milk. The police stopped it with the help of their jeep. The dacoits attacked the policemen (who carried guns) with sticks and swords. Two policemen were seriously injured. The policemen fired rounds in self-defence - and as a result, Dipak Pawar died by being shot in the chest.

People in the nearby locality have told us on the condition of anonymity that the time was early dawn, and it was not the hour of pitch darkness. The policemen were beating a single man. When he tried to escape and run away, the police fired, he was shot in the back and collapsed.

- a) My parents and his people have known him as Dipak. Though I his wife, I am not aware that he had a second name 'Irkyal'. I am not aware why the police referred to him with that name.
- b) The press reports, too, have stated that the police have observed excessive confidentiality in this matter.
- c) There is no knowledge of Dipak carrying any lethal weapon.
- d) The small truck carrying milk which the police stopped : To whom did belong ? Who was the driver ? Did the driver know the dacoits ? did they board the truck ? Where were they heading ? Does the have a statement to make ? And, why was the truck plying during night ? - These questions have not been raised. The driver has not been arrested.

As per my information,

1. It is not true that two policemen were seriously injured.
2. The police found Dipak alone, while he was looking for me.
3. There were marks on his body indicating that he was beaten up by the police.
4. He was shot in the back, not in the chest.
5. The hour was not so dark that he could have taken advantage of the darkness, and escaped.
6. My father has stated that the police asked him, "Bring Dipak's wife along. We will take her statement and close the case."

Sir, considering all the above points, the police seem to have carried the burial in almost secrecy, in heavy police presence, without unwrapping the body, without allowing my parents to see it, hastily, and with a snap-shot of my parents taking part in it - all this as a cover-up.

Moreover, the police went to our make-shift hut near Crossing No. 58, and threw about all the belongings inside it. Our ration-card and voter's identity card have been confiscated. The german-silver pots and pans have been crushed. During Diwali I had collected a few sweet-meats by begging in many houses : all that and salt and chilly condiments have been thrown on the ground, mixed with the earth. A few saris which I had, have been taken away. A few pots, too. We have

kept receipts of purchase for these. The latch and the lock, and the thatched walls are broken.

They treat us cruelly so that life becomes difficult, and we surrender to their whims, so that we write statement of any kind as they desire.

Under the circumstances, I appeal to you to consider the following demands

1. An inquiry by an independent officer or the C.I.D. may be instituted to investigate the killing of my husband, Dipak Suresh Pawar.
2. We are prepared to face police investigation. However, the inhuman treatment given to us, the damages caused to our households, should be brought to an immediate halt. For this purpose, the necessary instructions may be given. Protection may be provided to the following of my relatives as they have to face harassments:

- | | | |
|---------------------|---|--------------------------------|
| 1. My parents, | : | Shri Zirpya Mahadu Kale |
| stationed at Akluj | : | Smt. Sharadi Zirpya Kale |
| 2. My sister | : | Smt. Radhabai Hunkarya Bhosale |
| 3. My sister-in-law | : | Smt. Rakma Duryodhan Kale |
| 4. My sister-in-law | : | Smt. Nakushi Shahaja Kale |
| 5. My niece | : | Smt. Sangita Balu Pise |
| 6. My aunt | : | Smt. Shubhabai Hunkar Bhosale |

3. A second and reliable postmortem of my husband's body should be carried out.

Let these requests be conceded in fairness to justice, humanity and to a person like me who leads a helpless, inferior, unfortunate life.

Yours humbly,

(Impression of right hand thumb)

Tanuja Dipak Pawar

For the necessary follow-up, copies to :

1. Shri Ballorishne Renake, President, Maha, Bhatke Vimukta Sangha Parishad, Mumbai
2. Honourable Chairman, National Human rights Commission, Sardar Patel Bhavan Sansad Marg, New Delhi 110 001
3. Shri G. N. Devy, Secretary, Denotified & Nomadic Tribals Rights Action Group, 6, United Avenue, Near Dinesh Mill, Baroda 390 007
4. Shri Laxman Gaikwad, President, Maharashtra Bhatube Vimukta Mahasangh, G-304, Padmavati Nayan, , Film City Road, Goregaon (E), Mumbai 400 063

Ramilaben Rajubhai Rathod (Chhara), Mahajanwas, Chharanagar, Opp. S.T. Workshop, Jhajipur, Naroda Road, Ahmedabad, dated 12-10-98, to, The Honourable Chief Justice, Mumbai High Court, Mumbai

SUB : A writ petition to plead for justice on the death of my husband Shri Rajubhai Narubhai Rathod in police-lock-up after he was brutally beaten up.

Honourable Chief Justice Saheb,

My husband was arrested on 28th September'98 and locked up in Kandivali Police Station, Mumbai on charges of mere suspicion and was on remand till 7th October'98.

During this time, the police brutally beat up my husband and did not give him anything to eat or drink. As a result my husband died an unnatural death on 3rd October'98 at midnight in police-lock-up. We came to know of his death on 4th October when the Mumbai Samachar published the news. I left for Mumbai, with some relatives on the night of 5th October and reached Kandivali Police Station on the 6th October. We contacted the D.C.B. Crime Officer Shri J.N.Naike and P.S.I. Shri Dipak Katagare. They refused to give us any kind of information. When my brother requested for another postmortem, the officials behaved very badly with him. All the relatives submitted a written application for re-examining the case but it was rejected. We were subjected to a great deal of mental stress and the body was handed over to us after great difficulty.

We belong to the Chhara community, considered backward and certified as a Denotified Criminal Tribe. The Police treat us as born criminals. I have three small children - Kajal - age 12 years, Hetal - 9 years and Jigish - 7 years old. I humbly request you to order a C.B.I. investigation to grant this poor woman compensation and to take the strictest measures against the police officials responsible for this crime and thus grant me justice. I do not have money to hire lawyers. And if somehow I manage to come to Mumbai to file a case, the police may harass me. Please treat this letter as a writ petition and take appropriate action.

I thank you very very much.

Yours sincerely, Ramilaben Rajubhai Rathod

